

TRANSMITTAL LETTER TO THE UNITED STATES

DESIGNATED/ELECTED OFFICE (DO/EO/US)

1165.0747

U.S. Application No.

CONCERNING A FILING UNDER 35 U.S.C. 371

09/284,067

International Application. No.

International Filing Date

Priority Date Claimed

PCT/JP97/03625

October 8, 1997

October 8, 1996

**Title of Invention:**

AN ARTICLE DESIGN CREATING SYSTEM AND METHOD OF THE SAME

**Applicant(s) For DO/EO/US:**

Hiroyuki HARASAKI, Shiro KATO, Izumi KUBO, Yuri KAWASHIMA, Akihiro HORI, Masashi OZAKI and Eiichi SAKITA

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11. to 16. below concern other document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☒ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
  - a. ☒ Copy of Notification of Missing Requirements.
  - b. ☒ Copy of Notification of a Defective Oath or Declaration.
  - c. ☒ Response to Notification of Missing Requirements and Request to Accept Applicants' Declaration as Originally Filed.
  - d. ☒ Declaration of Shiro KATO.

07/01/1999 PVLDE 00000033 09284067

01 55:154

130.00 OP

17. [ ] The following fees are submitted:

**Basic National Fee (37 CFR 1.492(a)(1)-(5)):**

Search Report has been prepared by the EPO or JPO.....\$840.00  
 International preliminary examination fee paid to  
 USPTO (37 CFR 1.482).....\$670.00  
 No international preliminary examination fee paid to  
 USPTO (37 CFR 1.482) but international search fee  
 paid to USPTO (37 CFR 1.445(a)(2)).....\$760.00  
 Neither international preliminary examination fee  
 (37 CFR 1.482) nor international search fee  
 (37 CFR 1.445(a)(2)) paid to USPTO.....\$970.00  
 International preliminary examination fee paid to USPTO  
 (37 CFR 1.482) and all claims satisfied provisions  
 of PCT Article 33(1)-(4).....\$ 96.00

CALCULATIONS

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$

Surcharge of \$130.00 for furnishing the oath or declaration later than  
 [ ] 20 [X] 30 months from the earliest claimed priority date  
 (37 CFR 1.492(e)).

\$130.00

Claims	Number Filed	Number Extra	Rate
Total Claims	-20=		X \$18.00
Independent Claims	- 3=		X \$78.00
Multiple dependent claim(s) (if applicable)			+\$260.00

\$

TOTAL OF ABOVE CALCULATIONS =

\$130.00

Reduction by 1/2 for filing by small entity, if applicable. Verified  
 Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28)

\$

SUBTOTAL =

\$130.00

Processing fee of \$130.00 for furnishing the English translation later  
 than [ ] 20 [ ] 30 months from the earliest claimed priority date  
 (37 CFR 1.492(f)).

\$

+

TOTAL NATIONAL FEE =

\$130.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The  
 assignment must be accompanied by an appropriate cover sheet  
 (37 CFR 3.28, 3.31).

\$40.00 per property +

\$

TOTAL FEES ENCLOSED =

\$130.00

Amount to be  
 refunded  
 charged


\$

\$

- a. [X] A check in the amount of \$ 130.00 to cover the above fees is enclosed.  
 b. [ ] Please charge my Deposit Account No. \_\_\_\_\_ in the amount of  
 \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is  
 enclosed.  
 c. [X] The Commissioner is hereby authorized to charge any additional fees  
 which may be required, or credit any overpayment to Deposit Account  
 No. 06-0916. A duplicate copy of this sheet is enclosed.

The Commissioner is hereby authorized to charge any other fees due under 37 C.F.R. §1.16  
 or §1.17 during the pendency of this application to our Deposit Account No. 06-0916.

SEND ALL CORRESPONDENCE TO:  
 Finnegan, Henderson, Farabow  
 Garrett & Dunner, L.L.P.  
 1300 I Street, N.W.  
 Washington, D.C. 20005-3315  
 EFC/FPD/rgm

  
 Ernest F. Chapman  
 Reg. No. 25,961

Submitted: June 28, 1999

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: :  
:   
Hiroyuki HARASAKI et al. :  
:   
Serial No.: 09/284,067 : Group Art Unit: Not Yet Assigned  
:   
Filed: April 7, 1999 : Examiner: Not Yet Assigned

National Stage of International Application No. PCT/JP97/03625 under 35 U.S.C. 371,  
for AN ARTICLE DESIGN CREATING SYSTEM AND METHOD OF THE SAME

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**  
**UNDER 35 U.S.C. 371 AND REQUEST TO ACCEPT APPLICANTS'**  
**DECLARATION AS ORIGINALLY FILED**

**BOX PCT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the notification of missing requirements and notification of a defective oath or declaration dated May 28, 1999, which indicates that the declaration executed and filed by applicants is not executed in accordance with 37 C.F.R. 1.66 or 37 C.F.R. 1.68 because the second inventor [on the declaration] does not match the second inventor on the international application, applicants submit herewith the DECLARATION OF SHIRO KATO, the second inventor, which explains the discrepancy.

As explained by Mr. Kato in the enclosed declaration, the inadvertent error is in the spelling of the English-translation of his name as it appears on the filing papers (REQUEST) for the PCT International Application. Mr. Kato indicates that the correct spelling of the English-translation of his name is Shiro KATO as shown on the executed declaration filed in the U.S. Patent and Trademark Office on April 7, 1999.

LAW OFFICES

FINNEGAN, HENDERSON,  
FARABOW, GARRETT,  
& DUNNER, L.L.P.  
1300 I STREET, N.W.  
WASHINGTON, D. C. 20005  
202-408-4000

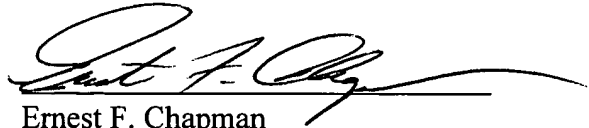
In view of the foregoing, since the second inventor's name is correctly spelled on the declaration filed with the application papers on April 7, 1999, it is respectfully requested that the U.S. Patent and Trademark Office accept the declaration filed on April 7, 1999, under 35 U. S.C. 371 for entry into the national stage as of that date.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account no. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By:



Ernest F. Chapman  
Reg. No. 25,961

Date: June 28, 1999

LAW OFFICES

FINNEGAN, HENDERSON,  
FARABOW, GARRETT,  
& DUNNER, L.L.P.  
1300 I STREET, N.W.  
WASHINGTON, D. C. 20005  
202-408-4000